



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 10-2441

Released: December 30, 2010

**COMMENTS INVITED ON APPLICATION OF TRANSCARD, LLC F/K/A
INNOVATIVE PROCESSING SOLUTIONS, LLC TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 10-265
Comp. Pol. File No. 959

Comments Due: January 14, 2011

Section 214 Application

Applicant: TransCard, LLC f/k/a Innovative Processing Solutions, LLC

On October 27, 2010, TransCard, LLC f/k/a Innovative Processing Solutions, LLC (TransCard or Applicant), located at 6125 Preservation Drive, Chattanooga, TN 37416, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Tennessee. On December 28, 2010, TransCard filed a letter to update the record regarding its red light status.¹

TransCard indicates that it provides prepaid resold domestic interstate interexchange and international telecommunications services to a targeted segment of telecommunications users in the logistics industry. Specifically, TransCard states that it provides services through card distribution arrangements with trucking companies who then supply cards to their drivers. TransCard maintains that it currently only provides its prepaid calling card services to U.S.Xpress Enterprises, Inc., a single commercial subscriber within its service territory in Tennessee. TransCard indicates that it does not know the identity of the end users of its calling cards because it provides its prepaid calling cards to logistics industry customers who then distribute the cards to their drivers, other employees, and to contract drivers. TransCard maintains that it currently serves less than five hundred active card accounts. TransCard indicates that it has never served residential subscribers, and that it has not sold its prepaid calling card services through retail outlets. TransCard, however, states that it has now made a business decision to discontinue its prepaid resold domestic interstate interexchange and international telecommunications services in Tennessee on January 31, 2011, the one year anniversary date of expiration for its last active prepaid calling card services.² According to TransCard, users are informed at the time of purchase and account activation that service will only be available through the shorter of account depletion or the one

¹ TransCard's application was determined to be in red light status, but TransCard's subsequent filing confirms that it has since completed payment of outstanding debts to clear its red light status.

² Discontinuance of international service is governed by 47 C.F.R. § 63.19.

year anniversary of account activation. TransCard states that when end users access TransCard's services and enter their account identification number they continue to receive verbal notice of how much remains on their calling card accounts and will also be notified by TransCard's customer service if they contact the company. TransCard asserts that it also provided written notice of this proposed discontinuance to its one remaining logistic company customer with a letter dated October 18, 2010 pursuant to section 63.71(a) of the Commission's rules. TransCard maintains that it has taken all reasonable action to the extent it is able to ensure that this discontinuance of service is not disruptive to the present or future public convenience and necessity, and asserts that the proposed discontinuance in no way impacts former customers or the public. TransCard indicates that it is non-dominant with respect to the services it seeks to discontinue.

Given TransCard's stated inability to provide conventional notification to the end users that use its services, we seek comment on TransCard's proposed discontinuance of service and the steps it has taken to notify and protect consumers in lieu of the notification procedures prescribed in section 63.71(a) of the Commission's rules. In accordance with section 63.71(c) of the Commission's rules, TransCard's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies TransCard that the grant will not be automatically effective. In its application and notice to its sole logistic company customer, TransCard indicates that it anticipates discontinuing services on January 31, 2011, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of TransCard's application and notice, absent further Commission action, TransCard may terminate the affected services in Tennessee on or after **January 31, 2011**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 14, 2011**. Such comments should refer to **WC Docket No. 10-265 and Comp. Pol. File No. 959**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. **Effective December 28, 2009, the Commission's contractor will only receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at the FCC Headquarters building, located at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554.** The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail

(other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

– FCC –